

REMARKS

Favorable reconsideration is respectfully requested in view of the following remarks.

An RCE hereby accompanies this response.

I. CLAIM STATUS & AMENDMENTS

Claims 1-4 and 12-19 were pending in this application when last examined.

In item 7 on page 1 of the Advisory Action, claims 2-4 were indicated as allowed and claims 13 and 17 were objected to.

Claims 1, 12, 14-16, 18 and 19 remain rejected.

Claims 1, 12 and 16 have been canceled without prejudice or disclaimer thereto. Applicants reserve the right to file a continuation or divisional application on any canceled subject matter.

Claims 13 and 17 have been amended to include the method steps of claims 12 and 16, respectively, and to be limited to the antibodies of allowed claims 2-4. This amendment is supported by the specification, for example, at page 4, lines 15-22 and original claim 12.

Claims 14-15 and 18-19 were amended to depend from claims 13 and 17, respectively.

Thus, it is respectfully submitted that pending claims 13-15 and 17-19 are in condition for allowance since they depend from the allowed claims 2-4.

Thus, the remaining pending claims are in condition for allowance.

II. REJECTION UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

Claims 1, 12, 14-16, 18 and 19 were rejected under 35 U.S.C. § 112, first paragraph, on the basis that the specification lacks an enabling disclosure for the deposited the hybridomas. See item 7 on pages 1-2 of the Advisory Action.

It is respectfully submitted that the amendment overcomes the rejection as applied to the remaining amended claims for the following reasons.

In items 3 and 7 on page 1 of the Advisory Action, the Examiner indicated that the enablement rejection of claims 2-4 is withdrawn, and thus, claims 2-4 are allowed.

As discussed above, claims 1, 12 and 16 have been canceled, and claims 13, 14, 15, 17, 18 and 19 have been amended to be limited to the antibodies of allowed claims 2-4.

Thus, the remaining in view of the above, the enablement rejection is untenable and should be withdrawn.

III. REJECTIONS UNDER 35 U.S.C. § 103

Claim 1 was rejected under 35 U.S.C. § 103(a) as obvious over WO 97/26331 in view of Roy et al., the EMBO Journal, vol. 16, no. 23, pp. 6914-6925 (1997), and further in view of Thompson et al., U.S. Patent No. 6,511,828. See page 2 of the Advisory Action and pages 3-4 of the final Office Action.

Claims 12, 14-16, 18 and 19 were rejected under 35 U.S.C. § 103(a) as obvious over WO 97/26331 in view of Roy, Thompson, and further in view of Harlow. See page 2 of the Advisory Action, and pages 4-5 of the final Office Action.

It is respectfully submitted that the present amendment overcomes this rejection as applied to the amended claims. Again, the claims have been amended to depend upon the antibodies of allowed claims 2-4. Thus, the obviousness rejections are untenable and should be withdrawn.

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CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and early notice to that effect is hereby requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

Respectfully submitted,

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